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C O N F I D E N T I A L SECTION 01 OF 02 CAIRO 002816

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TAGS: [PREF PHUM EG IS](#)

SUBJECT: EGYPT SEIZED WITH GROWING AFRICAN MIGRANT PROBLEM

REF: A. SECSTATE 129817

[1](#)B. SECSTATE 125576

[1](#)C. TEL AVIV 2744

[1](#)D. GENEVA 1914

[1](#)E. CAIRO 2320

[1](#)F. 2006 CAIRO 170

Classified by Minister Counselor for Economic and Political
Affairs William R. Stewart for reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: Pol Econ Minister Counselor delivered refs A and B demarches to MFA Counselor for Refugee Affairs Mohamed Fathi on September 16. Fathi described continued active GOE interagency efforts to develop a comprehensive solution to the issue of African migrants attempting to reach Israel. Fathi emphasized that the GOE needs both to adhere to international commitments on refugees and to ensure that Egyptian law, which stipulates that illegally crossing borders is a crime, is upheld. Fathi said that the GOE distinguishes between those with refugee or asylum-seeker status and those without, and that this will be a factor in the disposition of the approximately 50 African migrants that Israel returned to Egypt in August. Egypt is not ready to engage trilaterally with Israel and UNHCR to come to a comprehensive solution to the migrant problem. UNHCR-reported increased Egyptian efforts to interdict migrants west of the Suez Canal may help contain the problem within Egypt. End summary.

GOE Interagency Wrestling With Migrants

[1](#)2. (C) Pol Econ Minister Counselor discussed refs A and B demarches on September 16 with MFA Counselor for Refugee Affairs Mohamed Fathi, registering concern over reports of violence against African migrants on the Israeli border and pushing for a comprehensive solution. Fathi acknowledged that shootings occurred in early July, though injuries were "accidental" and violence was "of course a last resort," but reaffirmed GOE denials of further reported violent incidents in August (ref E). Echoing previous interlocutors, he said that GOE agencies are still "examining all options" to determine the best approach that adheres both to international and Egyptian law, and noted that a wide variety of GOE officials are seized with this issue (ref E). He emphasized that all those who cross from Egypt into Israel without permission are breaking Egyptian law, and that Egypt "will have to do something" to deter such behavior.

[1](#)3. (C) However, Fathi was quick to raise Egypt's commitments not to deport refugees or asylum seekers to countries where

their lives might be in danger, as per the 1951 Geneva Convention relating to the Status of Refugees. He emphasized that neither Egypt nor Israel "are doing anything wrong." In fact, he said, the GOE has gone out of its way to help the between one and five million Sudanese in Egypt by "not being strict about legality" when it comes to allowing them to reside in Egypt.

14. (C) Responding to Minister Counselor's concerns for the fate of the approximately 50 migrants that Israel returned to Egypt in August, Fathi said that they are "not in jail, but under the supervision of the government" while GOE determines a course of action. Of the group, he said, approximately 26 individuals either have refugee status or are asylum seekers in Egypt, which dictates for them a different outcome. However, refugees or not, "all still have broken Egyptian law," and even those who have the protection of refugee status may have to face legal consequences.

Trilateral Engagement With Israel, UNHCR Unlikely

15. (C) MFA Deputy Assistant Minister for American Affairs Mohamed Aboul Dahab, discussing ref B demarche with Minister Counselor on September 9, said that "now is not the time" to engage trilaterally with Israel and UNHCR. Given the interagency GOE uncertainty as to its eventual course of action, similar uncertainty from the Israeli side, and still lingering bad blood with UNHCR over the GOE's violent solution to a sit-in by Sudanese outside of UNHCR/Cairo headquarters in December 2005, he thought that such an approach would not be useful. (Note: UNHCR publicly condemned GOE use of force to quell a three-month long

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Sudanese sit-in outside UNHCR's Cairo headquarters in December 2005, killing almost 30. GOE officials may feel that UNHCR bore some responsibility for that problem, as the sit-in began when UNHCR changed its policy to encourage repatriation, rather than resettlement, for South Sudanese after the Comprehensive Peace Agreement ended Sudan's north-south civil war. See ref F for more information. End note.)

16. (C) Fathi said that the GOE defers completely to UNHCR determination of who in Egypt is a refugee or asylum-seeker, and treats them accordingly. UNHCR Deputy Regional Representative for Protection Katharina Lumpp told poloff on September 11 that UNHCR has good and regular working-level relations with Egyptian State Security Investigative Service (SSIS), with whom they engage as to the disposition of specific asylum-seeker cases. UNHCR also runs training programs for Egyptian security personnel throughout Egypt, with the exception of the Sinai, to sensitize them to refugee issues, she said. On a policy level, however, Lumpp reports that even after multiple offers of assistance, her MFA contacts have no interest in coordinating on developing policy towards migrants. Fathi confirmed this, saying that the GOE is not working with UNHCR to determine how best to handle the approximately 50 returnees from Israel, or any other persons who are not strictly defined as refugees or asylum-seekers.

17. (C) Asked about coordination with Israel, Fathi was vague but hinted that Egypt and Israel had on-going general, high-level discussions on the migrant issue. However, he said that working-level coordination between Egyptian and Israeli border forces was probably minimal, intimating that the GOE was not ready to increase its engagement at this time.

New Egyptian Tactics Reducing Border Incidents?

18. (SBU) Lumpp assessed that Egyptian security forces are

increasing their efforts to interdict African migrants west of the Suez Canal. (Note: The Suez Canal is a natural choke point for those traveling from Cairo to the Sinai as there are limited crossings, making it easier for Egyptian security to comprehensively inspect those traveling across. End note.) According to Lumpp's contacts in SSIS, and to the asylum seekers themselves, Egyptian security forces have increased detentions of Africans crossing the Canal that they suspect are being smuggled across the Sinai to Israel. The Africans are then returned to Cairo, sometimes after a brief detention. Wael Aboul Magd, Director of the MFA's Office of Human Rights, confirmed to poloff on September 17 that Egypt is focused on intercepting potential migrants west of Suez. Lumpp attributed this new "arrest campaign" to a decrease in the number of inquiries UNHCR receives from SSIS as to the status of African migrants that they interdict on the border. Although UNHCR received a "very high" average of about 50 inquiries per month in July and August, she said, the numbers since then "seem to have slowed."

Comment

19. (C) Egypt faces a genuine dilemma in dealing with African migrants. Egypt cannot accept migrants returned from Israel without prosecuting or deporting them, as this would send a message that Egyptian law is meaningless. However, prosecuting people who are only seeking a better life could harm Egypt's image given the spotlight on border issues and Darfur. On the other hand, deporting refugees or asylum-seekers to their countries of origin would violate international commitments, and deporting economic migrants might cause social unrest - always a top GOE concern - among Egypt's large African, particularly Sudanese, population. Reports of stepped up efforts west of Suez, if true, may help to contain the problem within Egypt and lessen incidents on the border.
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